

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

MICHAEL B. BROOKS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:06-cv-764-MEF
	)	
DAIMLERCHRYSLER FINANCIAL	)	(WO- Not for Publication)
SERVICES AMERICAS LLC, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

In July of 2006, Plaintiff filed the Complaint in the Circuit Court of Montgomery County, Alabama. (Doc. # 2, Compl.). On August 24, 2006, Defendant DaimlerChrysler Financial Services Americas LLC (“DaimlerChrysler”) removed the action to this Court invoking its subject matter jurisdiction pursuant to 28 U.S.C. § 1332. (Doc. # 1). In its Notice of Removal DaimlerChrysler argued that the Plaintiff had failed to specify in the Complaint the amount of damages in controversy and that the amount in controversy exceeded the \$75,000 threshold for the invocation of subject matter jurisdiction pursuant to 28 U.S.C. § 1332. Shortly after filing its Notice of Removal, DaimlerChrysler realized that the Complaint in fact limited the amount of damages sought to \$74,500 and concluded that this Court lacked subject matter jurisdiction over this action. With the agreement of the Plaintiff, DaimlerChrysler filed a Motion to Remand (Doc. # 1).

The Court agrees that it lacks subject matter jurisdiction over this action.

Accordingly, it is hereby ORDERED as follows:

1. The Motion to Remand (Doc. # 1) is GRANTED.
2. The above-styled lawsuit is REMANDED to the Circuit Court of Montgomery County, Alabama.
3. The Clerk of the Court is DIRECTED to take all steps necessary to effect this remand and close this file.

Done this the 30th day of August 2006.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE